



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

**Agency:** Department of Early Learning

**Subject of possible rule making:**

The purpose of this rule is to allow the new Department of Early Learning to continue providing due process hearing procedures to child care providers and to conduct background checks. No rules are being appealed or amended.

**Statutes authorizing the agency to adopt rules on this subject:**

Chapter 265, Laws of 2006, Section 301

**Reasons why rules on this subject may be needed and what they might accomplish:**

SSHB 2964 (chapter 265, Laws of 2006) created the new department of Early Learning, effective July 1, 2006. The rules set up a process for conducting background checks. The rules also set up a process for hearings when an applicant for a child care license is denied the license or background clearance to work with children.

When the Department of Early Learning was formed, the DSHS hearing and background check rules in Title 388 WAC became obsolete for regulating child care. This is vital to the health and safety of children in care. These rules are necessary to implement the Legislative intent in SSHB.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

Department of Health- Immunization Program

Washington State Patrol (State Fire Marshal)

Division of Labor and Industries (Minor Work Laws, First Aid and CPR, Bloodborne-Pathogens, Electrical)

Key personnel have been identified at each agency to work with. Initial draft WAC has been sent to each agency for review and comment to ensure consistency and coordination.

**Process for developing new rule (check all that apply):**

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) All interested parties are invited to review and provide comment on the draft language. Postcards

will be sent to each licensed child care facility in the State of Washington. The postcards will announce the draft change and where the draft language can be found on the Department of Early Learning internet site. For information about this rule-making or to be on a mailing list to receive notices about this rule, contact the person listed below.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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10/24/06

**NAME (TYPE OR PRINT)**

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*Jone M Bosworth*

**TITLE**

Director, Department of Early Learning

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